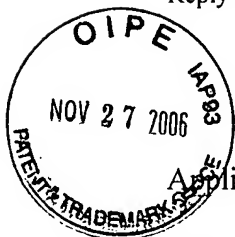


Appl. No. # 10/817,250
Amdt. dated 11/21/2006
Reply to OA of 11/16/2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **CLEGG, TIMOTHY**

) Examiner: Christopher Veraa

Serial No.: **10/817,250**

) Art Unit: 1797

Filed: **04/03/2004**

) Attorney Docket Number: Clegg.04

For: **FOLDING MAGAZINE INSERT**

)

)

)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Examiner Veraa:

In response to the Office Action mailed November 16, 2006, please make the following amendments to the application.

Amendment to the Claims begins on page 2 of this paper.

Amendment to the Specifications begins on page 8 of this paper.

Amendments to the Drawings begin on page 10 of this paper.

Respectfully submitted,

Clement Cheng, Esq.
17220 Newhope St Ste 127
Fountain Valley, CA 92708-4283
(714) 825-0555 phone; (714) 825-0558 fax

Amendment to the Claims:

CLAIMS

1. (original) A folding magazine insert comprising: a means for emitting a sound enclosed in a foldable support structure, emitting sounds upon unfolding; said means for emitting a sound comprising an electronic microchip sound generating device, and a slide tongue mechanism having a pair of ends wherein one of the two ends is connected to the electronic microchip sound generating device and the other end is attached to the foldable support structure so as to activate the electronic microchip sound generating device upon the unfolding of the foldable support structure,
the foldable support structure comprising a primary page and a secondary page, the electronic microchip sound generating device held in the secondary page by folding the secondary page, wherein the secondary page is folded-over itself along a fold line and held together by double sided tape adhered at a top edge, bottom edges, inner edge and channel edges thereof; wherein the inner edge is the edge close to the fold between the primary and secondary page, wherein the channel edges form a channel retaining the tongue such that the microchip sound generating device is retained halfway between the vertical and horizontal midpoint of the secondary page and the outer edge of the secondary page.
2. (original) The folding magazine insert of claim 1 further comprising a tongue attachment that is double taped on a top and bottom side adhering to the first page.
3. (original) The folding magazine insert of claim 1 wherein the microchip sound generating device includes a flat speaker facing down.
4. (original) The folding magazine insert of claim 1 wherein the microchip sound generating device includes a flat speaker facing up.
5. (original) The unfolding magazine insert of claim 1 wherein the microchip sound generating device includes three 1.5 V button batteries.

6. (currently amended) The folding magazine insert of claim 1 wherein the microchip sound generating device is adhered to a film forming a modular template, the modular template having a tongue stick section, a speaker section and a battery section, wherein the battery section includes ~~[[the]]~~ a microchip controller, each section adhered by glue to a sticky tape with a removable liner such that when the liner is removed, the sticky tape is revealed, the sticky tape sticking the modular section to the proper position on the first and secondary pages.
7. (cancelled) The folding magazine insert of claim 6 further comprising a joint made by double taping the front and back sides of the tongue stick section and the battery section at the junction thereof.
8. (cancelled) The folding magazine insert of claim 6 wherein the speaker section and battery section can be detached so that the speaker section can be located adjacent to the battery section and placed adjacent to the battery section.
9. (cancelled) The folding magazine insert of claim 6 wherein the speaker in the speaker section is mounted face down.
10. (currently amended) The folding magazine insert of claim 6 wherein the tongue distance between the tongue attachment means and switch on ~~[[the]]~~ a microchip and battery section is held constant by the film, such that after adhering the film to the primary and secondary pages the distance between the attachment means and the switch is held constant.
11. (cancelled) The folding magazine insert of claim 6 wherein the tongue is non-conductive and positioned to slide from between two contacts of the switch, thereby completing a circuit when a user opens the pages.

12. (cancelled) A folding magazine insert comprising: a foldable support structure; an electronic microchip sound generating device; and a slide tongue mechanism connected to the electronic microchip sound generating device and to the foldable support structure so as to activate the electronic microchip sound generating device upon the unfolding of the foldable support structure;
wherein the foldable support structure comprises: an insertion flap adhering to a bottom side of a fold line of a primary page and a secondary page, the electronic microchip sound generating device held in the secondary page by folding the secondary page, wherein the secondary page is folded-over itself along a fold line and held together by double sided tape, such that the microchip sound generating device is retained halfway between the vertical and horizontal midpoint of the secondary page and the outer edge of the secondary page, wherein said insertion flap can be received in an automated machine bindery.
13. (cancelled) The folding magazine insert of claim 12 further comprising a tongue attachment that is double taped on a top and bottom side adhering to the first page.
14. (cancelled) The folding magazine insert of claim 12 wherein the microchip sound generating device includes a flat speaker facing down.
15. (cancelled) The unfolding magazine insert of claim 12 wherein the microchip sound generating device includes three 1.5 V button batteries.
16. (cancelled) The folding magazine insert of claim 12 wherein the microchip sound generating device is adhered to a film forming a modular template, the modular template having a tongue stick section, a speaker section and a battery section, wherein the battery section includes the microchip controller, each section adhered by glue to a sticky tape with a removable liner such that when the liner is removed, the sticky tape is revealed, the sticky tape sticking the modular section to the proper position on the first and secondary pages.

17. (cancelled) The unfolding magazine insert of claim 12 wherein the microchip sound generating device includes two 1.5v batteries when SNM and SSE types of MASK are used for recording prerecorded messages.
18. (cancelled) A folding magazine insert comprising: a sound emitting means enclosed in a foldable support structure; the foldable support structure comprising a first page and a second page, a sound emitting means adhered in the second page by folding a first and second section of the second page, wherein the second page is folded-over itself along a fold line and held together by adhesive strips at a top edge, bottom edges, inner edge and channel edges; wherein the inner edge is the edge close to the fold between the primary and secondary page, wherein the channel edges form a channel retaining the tongue such that a sound emitting means is retained in the insert.
19. (cancelled) The folding magazine insert of claim 18 wherein said a sound emitting means comprises: an electronic microchip sound generating device, and a slide tongue mechanism having a pair of ends wherein one of the two ends is connected to the electronic microchip sound generating device and the other end is attached to the foldable support structure so as to activate the electronic microchip sound generating device upon the unfolding of the foldable support structure.
20. (withdrawn) The folding magazine insert of claim 18 wherein said sound emitting means comprises: an electronic microchip sound generating device, and a slide tongue mechanism having a pair of ends wherein one of the two ends has a magnet attached, the magnet retaining a magnetic relay on an electronic microchip, wherein the other end of the slide tongue mechanism is attached to the foldable support structure so as to activate the electronic microchip upon the unfolding of the foldable support structure.
21. (withdrawn) The folding magazine insert of claim 18 wherein said sound emitting means comprises: an electronic microchip sound generating device, and light sensor attached to the foldable support structure so as to activate the electronic microchip upon the unfolding of the foldable support structure.

22. (cancelled) A method of inserting a folding magazine insert into a magazine by use of a high-speed bindery machine comprising the steps of: forming a first page and a second page on a foldable support structure; enclosing a sound emitting means in a foldable support structure by folding a first and second section of the second page, wherein the second page is folded-over itself along a fold line and held together by adhesive strips at a top edge, bottom edges, inner edge and channel edges, wherein the inner edge is the edge close to the fold between the primary and secondary page, wherein the channel edges form a channel retaining the tongue such that a sound emitting means is retained in the insert.
23. (cancelled) The method of claim 22 wherein the microchip sound generating device is adhered to a film forming a modular template, the modular template having a tongue stick section, a speaker section and a battery section, wherein the battery section includes the microchip controller, each section adhered by glue to a sticky tape with a removable liner such that when the liner is removed, the sticky tape is revealed, the sticky tape sticking the modular section to the proper position on the first and secondary pages.
24. (cancelled) The method of claim 22 wherein said a sound emitting means comprises: an electronic microchip sound generating device, and a slide tongue mechanism having a pair of ends wherein one of the two ends is connected to the electronic microchip sound generating device and the other end is attached to the foldable support structure so as to activate the electronic microchip sound generating device upon the unfolding of the foldable support structure.
25. (cancelled) The method of claim 22 wherein said sound emitting means comprises: an electronic microchip sound generating device, and a slide tongue mechanism having a pair of ends wherein one of the two ends has a magnet attached, the magnet retaining a magnetic relay on an electronic microchip, wherein the other end of the slide tongue mechanism is attached to the foldable support structure so as to activate the electronic microchip upon the unfolding of the foldable support structure.

26. (cancelled) The method of claim 22 wherein said sound emitting means comprises: an electronic microchip sound generating device, and light sensor attached to the foldable support structure so as to activate the electronic microchip upon the unfolding of the foldable support structure.

27. (cancelled) The method of claim 22 further comprising the steps of: gluing an insertion flap to the bottom side of a fold line of a primary and a secondary page; folding the secondary page and retaining the secondary page in folded configuration by gluing the secondary page together with double sided tape; and retaining the microchip halfway between the vertical and horizontal midpoint of the secondary page and the outer edge of the secondary page, wherein the insertion flap can be received in an automated machine binary and appear to the bindery as a single page.

Specification Amendments

On page 7, line 27 on the sentence, “Preferably the sound emitting means 34

Delete the word 34 so that the new sentence reads:

Preferably the sound emitting means [[34]] comprises an electronic microchip sound generating device 35 comprised of a generally flat-shaped speaker 34, a microchip controller 35 mounted to a circuit board 32, a switch means 255, and a battery means 190.

Appl. No. # 10/817,250
Amdt. dated 11/21/2006
Reply to OA of 11/16/2006

Remarks

SNM and SSE types of MASK are simply acronyms for sound formatting on microchips. These are industry terms that people use in the sound chip market. They have no bearing on the patentability of the claims.



Replacement Sheet

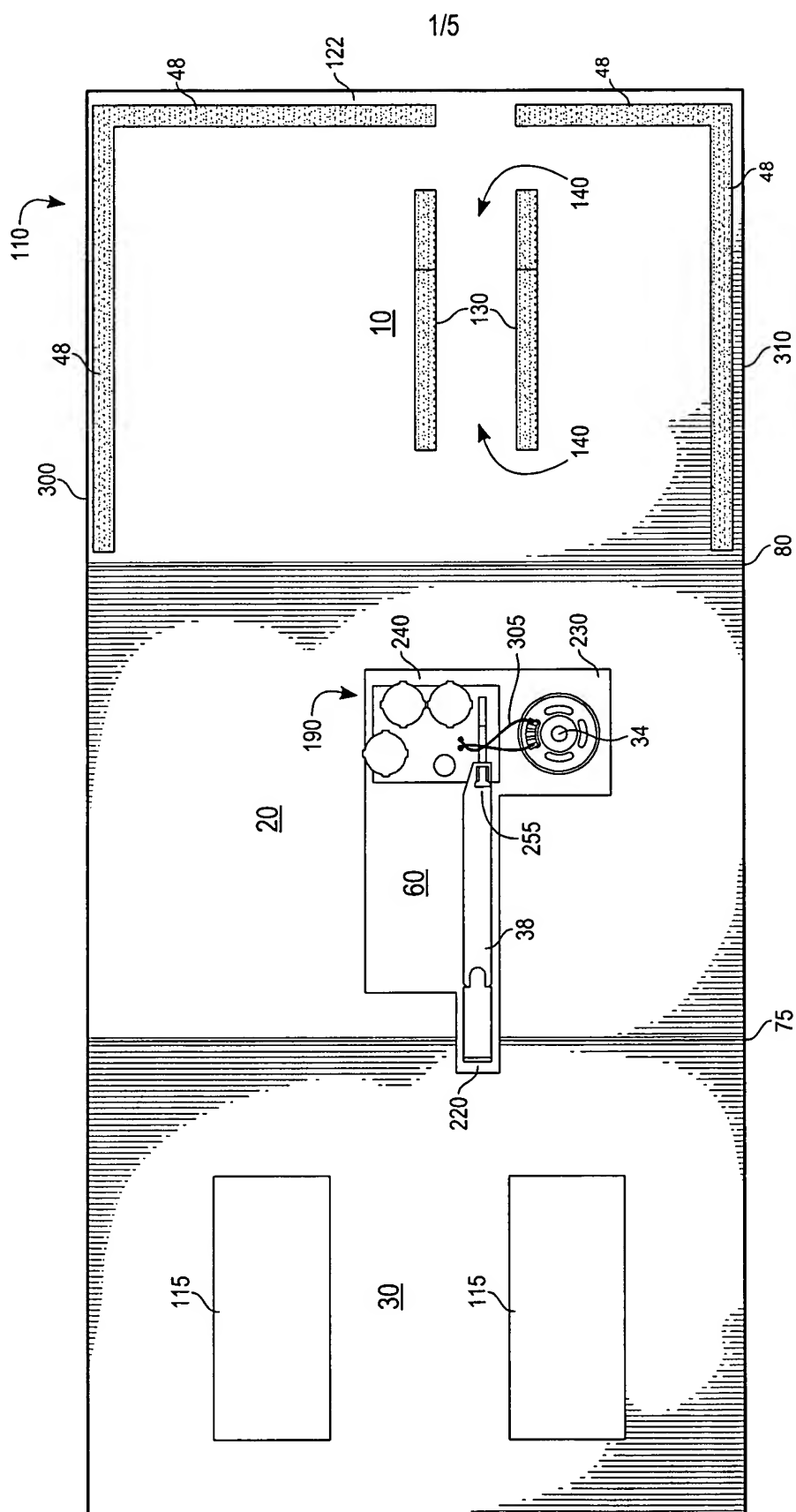


Fig. 1

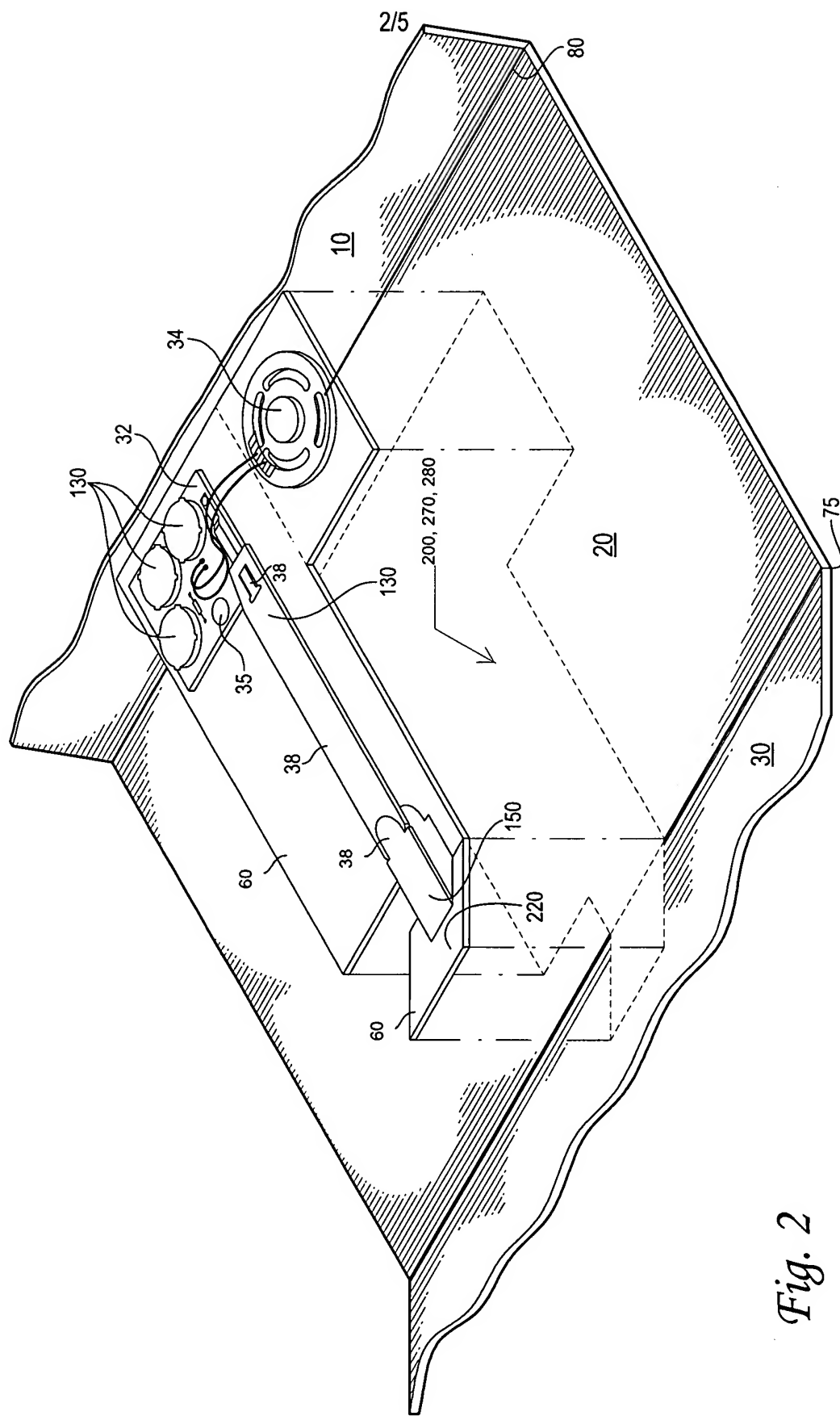
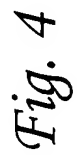
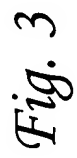
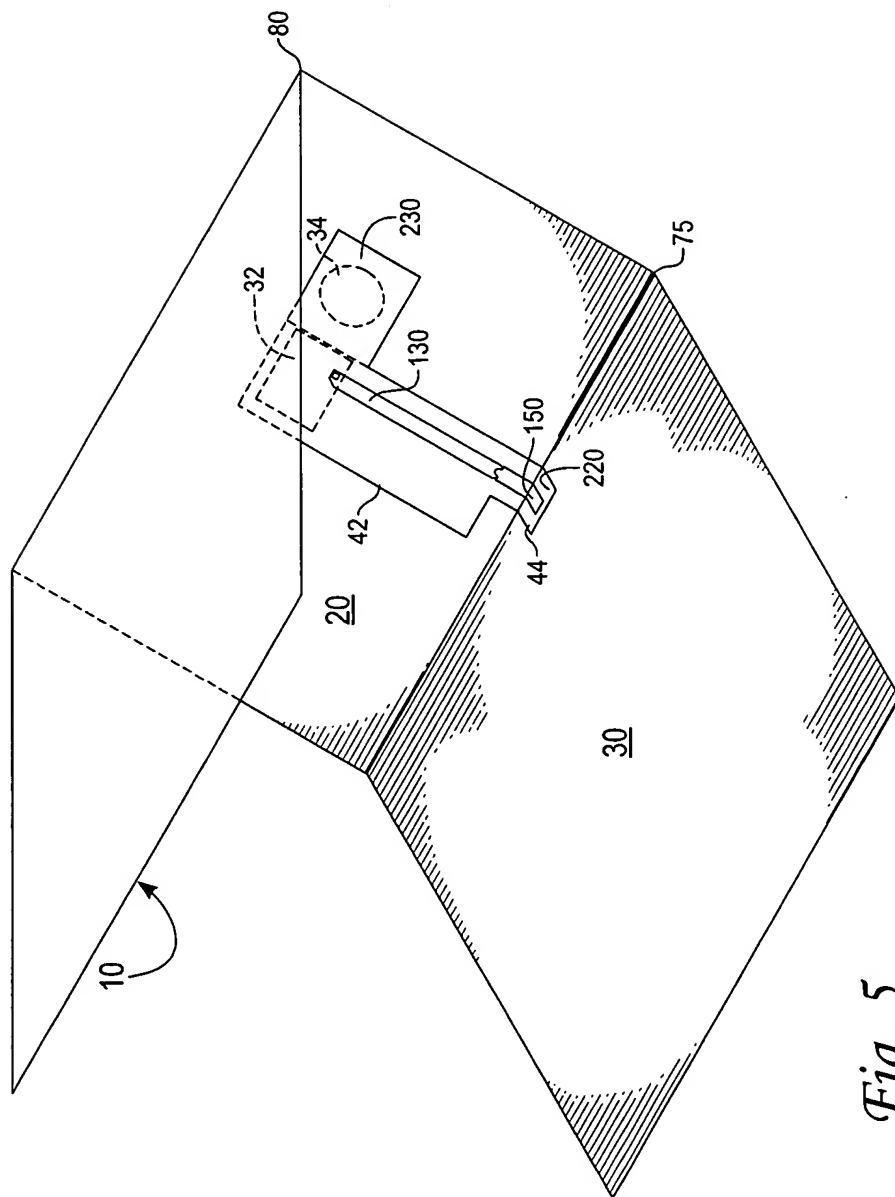


Fig. 2





+

+

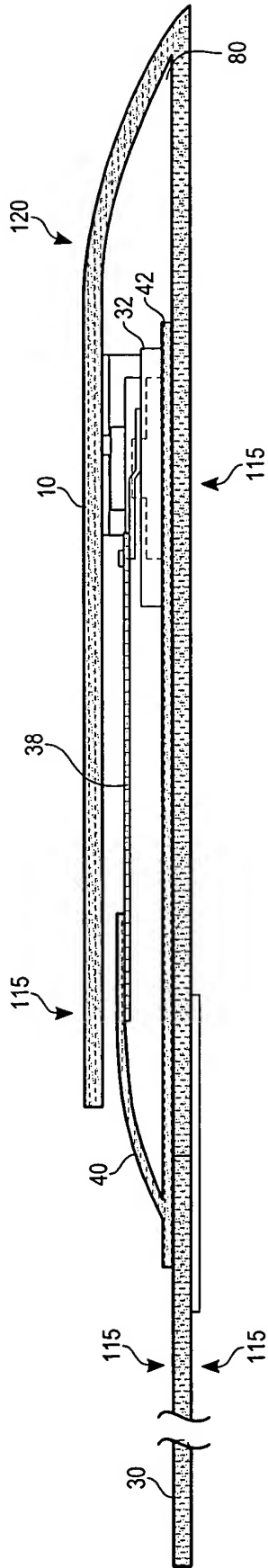


Fig. 6

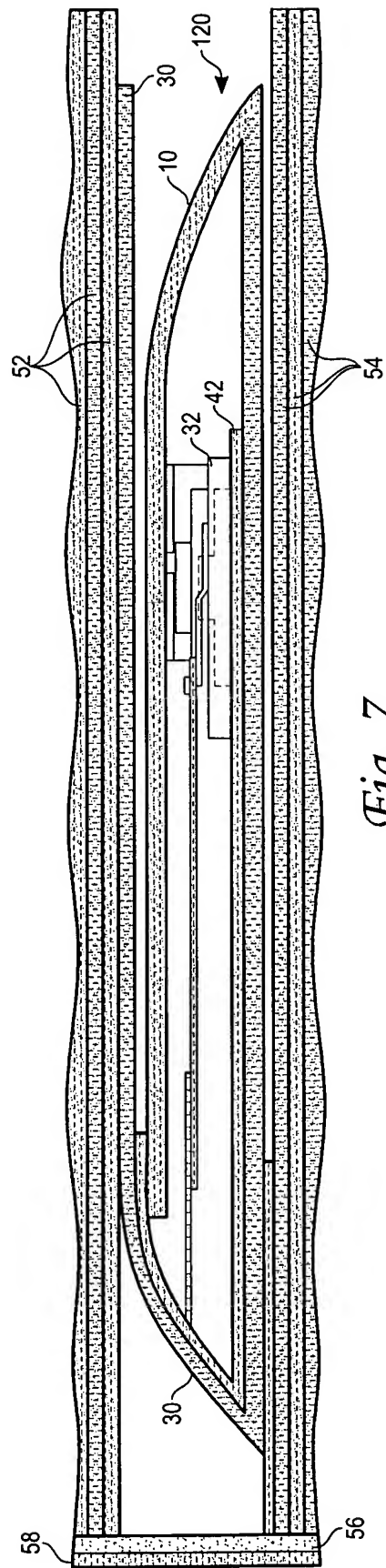


Fig. 7



1FW

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/817,250	
	Filing Date	04/03/2004	
	First Named Inventor	Clegg, Timothy	
	Art Unit	1797	
	Examiner Name	Veraa, Christopher	
Total Number of Pages in This Submission	16	Attorney Docket Number	Clegg.04

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Law Offices of Clement Cheng		
Signature			
Printed name	Clement Cheng		
Date	11-22-2006	Reg. No.	45463

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Tiffany Tran	Date	11-22-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.